

REMARKS

Claims 1 through 11 are pending in this application. Claims 1, 2, 5, 6, 7, and 10 are amended herein. Claim 11 is added herein. Support for the amendments to the claims, and the new claim, may be found in the claims as originally filed. Reconsideration is requested based on the foregoing amendment and the following remarks.

Claim Rejections - 35 U.S.C. § 102:

Claims 1, 5, and 7 were rejected under 35 U.S.C. § 102(e) as anticipated by Hiromoto, JP 2000-333258. The rejection is traversed.

35 U.S.C. § 102(e) provides,

A person shall be entitled to a patent unless -
(e) the invention was described in - (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for the purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Hiromoto is neither an application for a patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, nor an international application filed under the treaty defined in section 351(a) which designated the United States and was published under Article 21(2) of such treaty in the English language. Thus, Hiromoto is not a valid reference under 35 U.S.C. § 102(e), and the rejection ought to be withdrawn.

In any case, in the event that Hiromoto were a valid reference under one of the patent statutes, Hiromoto would still be inapposite since, in Hiromoto, a user authentication process is conducted based on subscriber information, a menu list is displayed to show contents having a higher probability of use for each user based on the location of the mobile unit of the user, and then the user selects from among the displayed content.

In the claimed invention, in contrast, a menu (i.e. a general menu) and a user menu are different from each other (refer to the specification at page 3, line 36 to page 4, line 25 and page 15, lines 18-26). In the claimed invention, a registration means provides for adding content, such as content used frequently by a user, to a user menu, and acquiring thereby a menu registration identifier. In general, the contents of each menu are nested in depth. The menu registration

identifier enables the user to access the desired content directly. Therefore, once a user achieves the desired content by nesting the menu and registers the content to the user menu, the user can directly and easily access the content.

Claim 1, in particular, recites,

"wherein said content-requesting signal is transmitted when the user selects one content from a list of at least one content only which the user's portable telephone has been registered from a regular menu including contents which will be available after a registration."

Hiromoto neither teaches, discloses, nor suggests a content-requesting signal that is transmitted when the user selects one content from a list of at least one content only which the user's portable telephone has been registered from a regular menu including contents which will be available after a registration, as recited in claim 1. Claim 1 is submitted to be allowable. Withdrawal of the rejection of claim 1 is earnestly solicited.

Claim 5:

Claim 5 recites,

"wherein said content-requesting signal is transmitted when the user selects one content from a list of at least one content only which the user's portable telephone has been registered from a regular menu including contents which will be available after a registration."

Hiromoto neither teaches, discloses, nor suggests a content-requesting signal that is transmitted when the user selects one content from a list of at least one content only which the user's portable telephone has been registered from a regular menu including contents which will be available after a registration, as discussed above with respect to the rejection of claim 1. Claim 5 is also submitted to be allowable. Withdrawal of the rejection of claim 5 is earnestly solicited.

Claim 7:

Claim 7 recites,

"wherein said content-requesting signal is transmitted when the user selects one content from a list of at least one content only which the user's portable telephone has been registered from a regular menu including contents which will be available after a registration."

Hiromoto neither teaches, discloses, nor suggests a content-requesting signal that is transmitted when the user selects one content from a list of at least one content only which the user's portable telephone has been registered from a regular menu including contents which will

be available after a registration, as discussed above with respect to the rejection of claim 1. Claim 7 is submitted to be allowable. Withdrawal of the rejection of claim 7 is earnestly solicited.

New claim 11:

None of the cited references teach, disclose, or suggest providing requested content service to a user's portable telephone after simply verifying that a menu registration identifier is contained in a content-requesting signal transmitted from the user's portable telephone to a content provider. Claim 11 is thus believed to be allowable.

Allowable Subject Matter:

The Applicant acknowledges with appreciation the allowance of claims 2, 3, 4, 8, 9, and 10, and the indication that claim 6 contains allowable subject matter. Claim 6 has been rewritten in to independent form.

Conclusion:

Accordingly, in view of the reasons given above, it is submitted that all of claims 1-11 are allowable over the cited references. There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

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By: 

Thomas E. McKiernan
Registration No. 37,889

1201 New York Avenue, NW, Suite 700
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501